

Docket No: 0846-0544-2 PCT



#6 | Election
JANES
11-3.00

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

~~JEAN-BAPTISTE ALBERTINI, ET AL.~~ : EXAMINER: DONOVAN, L.

SERIAL NO.: 09/508,692 :

FILED: MARCH 29, 2000 :

GROUP ART UNIT: 2832

FOR: METHOD FOR INCREASING THE
OPERATING OF A MAGNETIC
CIRCUIT...

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RESPONSE TO RESTRICTION REQUIREMENT

TECHNOLOGY CENTER 2800

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the outstanding Office Action of October 11, 2000, Applicants elect the invention of Group I and Claims 8-10 **with traverse**.

Initially, applicants believe that the outstanding restriction requirement contains a minor error in that the outstanding restriction requirement only indicates claims 9-10 drawn to invention I, i.e. the method of increasing the operating frequency of a magnetic circuit. It is, however, also noted that claim 8 is directed to such a process and therefore the election response elects each of claims 8-10.

Applicants also traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present application no undue burden has been established if each of the species and claims were examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/98)

A handwritten signature in cursive script, appearing to read "Surinder Sachar".

Gregory J. Maier
Attorney of Record
Registration No. 25,599
Surinder Sachar
Registration No. 34,423

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

ATTORNEYS AT LAW

FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202 U.S.A.

(703) 413-3000

(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

Docket No.: 0846-0544-2 PCT

WWW.OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231



GP 2832
NORMAN F. OBLON
MARVIN J. SPIVAK
C. IRVIN McCLELLAND
GREGORY J. MAIER
ARTHUR I. NEUSTADT
RICHARD D. KELLY
JAMES D. HAMILTON
ECKHARD H. KUESTERS
ROGER J. POUS
DAVID J. KERK
CHARLES J. CHOLZ
WILLIAM E. BEAUMONT
JEAN-PAUL LAVALLEYE, PH.D.
JEFFREY H. KAUFMAN
BRIAN D. ANDERSON
ROBERTA S. BREN
STEPHEN G. BAXTER, PH.D.
RICHARD L. TREANOR, PH.D.
STEVEN P. WEINROUCH
JOHN T. GOOLKASIAN*
RICHARD L. CHINN, PH.D.
STEVEN E. LIPMAN
CARL E. SCHLIER
P. JAY HINES
JAMES J. KULBASKI
RICHARD A. NEIFELD, PH.D.
J. DEREK MASON, PH.D.
SURINDER SACHAR
JONATHAN HUDIS
JEFFREY B. MCINTYRE*
WILLIAM T. ENOS*
MICHAEL E. McCABE, JR.*
STEVEN C. TABACKMAN
JORDAN S. WEINSTEIN
BRADLEY D. LYTHE
MICHAEL R. CASEY, PH.D.

GERALD J. MOSSINGHOFF
MILTON STERMAN
SAMUEL H. BLECH*
JOHN O. TRESANSKY*
ALTON D. ROLLINS
JAMES R. BOLEN*
HARIS A. PITICK*
RAYMOND J. CARDILLO, JR.
ROBERT W. HAHN, PH.D.
NEAL GOLDSPAR
BRIAN B. DARVILLE
MASAYASU MORI**
FRANK J. WEST*
KATHLEEN COONEY-PORTER*
ANDREW M. OLLIS
MARGO LIVESAY, PH.D.*
CORWIN P. UMBACH, PH.D.
RON MYERS*
W. TODD BAKER*
DAVID D'ZURILLA
JOSEPH A. SCAFFETTA, JR.
CARLOS R. VILLAMAR
ROBERT C. MATTSON
MANDY M. PETROCELLI
EDWIN D. GARLEPP
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THOMAS M. CUNNINGHAM, PH.D.
CLAYTON W. THOMPSON, II
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THOMAS J. FISHER
ROBERT C. NISSEN*
GAY ANN SPAHN*
AKIHIRO YAMAZAKI*
AMBER A. TRAIN*
MALCOLM J. MACDONALD, PH.D.*
ANDREW K. BEVERINA*
FREDERICK D. VASTINE, PH.D.*
JOHN N. PIKE, PH.D.*
JAMES J. KELLY, PH.D.*
DAVID A. BLODEAU*
STAMATIOS MYLONAKIS, PH.D.*
PHILIPPE J.C. SIGNORE, PH.D.*
KEVIN A. NORBERG*
THOMAS A. BLINKA, PH.D.*
DANIEL J. PEREIRA, PH.D.*
RONALD A. RUDDER, PH.D.*
JOHN F. T. CONROY, PH.D.*
DEREK RICHMOND*

* BAR MEMBERSHIP OTHER
THAN VIRGINIA
** JAPANESE PATENT ATTORNEY
REGISTERED PATENT AGENT

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Surinder Sachar
Gregory J. Maier
Attorney of Record
Registration No. 25,599
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Registration No. 34,423

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22850

(703) 413-3000 (phone)
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